BUDGET 2005

Treaty Negotiations Office

SERVICE PLAN
2005/06 – 2007/08

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Message from the Minister and Accountability Statement

It is my pleasure to deliver the second stand-alone Service Plan for the Treaty Negotiations Office. This Service Plan provides me with the opportunity to outline the actions that the Office will be taking during the next fiscal year to achieve the goals of building respectful, working relations with First Nations in British Columbia.

After more than a decade of treaty negotiations, we are making progress. Working jointly with our Federal and First Nations partners, we have reinvigorated the treaty process in British Columbia. While we recognize that it will be some time before treaties are in place across the entire province, we are working hard to achieve greater certainty over land and resources in our province. With this certainty we can better attract and retain investment, create jobs and build stronger communities for First Nations which will benefit all British Columbians. I believe that with our continued commitment, creativity and flexibility, we will continue to build on the momentum that has been achieved over the past year.

The 2005/06 – 2007/08 Treaty Negotiations Office Service Plan was prepared under my direction and in accordance with the *Budget Transparency and Accountability Act*. I am accountable for the basis on which the Plan has been prepared. All material, fiscal assumptions and policy decisions, as of February 3, 2005, have been considered in preparing the Plan and I am accountable for achieving the specific objectives in the Plan.

Honourable Geoff Plant
Attorney General and
Minister Responsible for Treaty Negotiations

February 7, 2005

Ministry Overview and Core Business Areas

Treaties are constitutionally protected agreements negotiated between First Nations and the governments of British Columbia and Canada. They set out a new relationship between parties by defining their respective rights and responsibilities, creating certainty over Crown land and resources and by clearly defining land ownership and law-making jurisdiction across British Columbia.[1]

The Treaty Negotiations Office is responsible for the negotiation of treaties and other agreements with First Nations.[2] In doing so, government helps to build economic strength and stability for all British Columbians. It is through the negotiation of treaties and other agreements that we work toward a stable climate that facilitates economic investment on the provincial land base and allows for mutually beneficial governance arrangements, business relationships and land management processes.

Efforts to foster economic development opportunities in First Nations communities continue through the negotiation of arrangements that will materially improve the quality of life of Aboriginal people and foster healthier community relationships across the province.

In keeping with these goals and responsibilities, the Treaty Negotiations Office has divided its core business areas into the following categories:

1. Negotiations

Negotiations includes the processes required to successfully conclude the negotiation of aboriginal rights and title claims in British Columbia, as well as support services required by the Office to carry out its responsibilities. This area provides leadership and coordination of the Crown's legal duty to consult, and when required, accommodate First Nations where constitutionally protected Aboriginal rights, such as hunting and fishing, may be affected by proposed economic development on Crown lands.

The area of Negotiations also includes executive services provided for the Treaty Negotiations Office, including salaries, benefits, and operating expenses. Core support services are also provided by the Ministry of Attorney General. For further information, see the *Ministry of Attorney General Service Plan 2005/06 – 2007/08* at http://www.gov.bc.ca/ag.

[1] Certainty in treaty negotiations means ownership and the rights, responsibilities and authorities of all parties are clear and predictable.

[2] Other agreements include economic development arrangements, initiatives that promote skills and training, and understandings that promote respect and reconciliation of First Nations cultural strength and diversity.

2. Reconciliation

The Treaty Negotiations Office embraces reconciliation as a guiding principle under which all parties work together to resolve differences. By recognizing each other's respective rights and responsibilities, we are able to forge new relationships with First Nations and facilitate renewed efforts toward building a brighter future for all British Columbians. Resources for this area are provided from the Negotiations core business area.

3. Treaty Settlement and Implementation

Treaty Settlement and Implementation encompasses the Office's responsibility for treaty implementation planning, coordination of legal requirements for implementation of treaties across government and administration of treaty settlement funding arrangements.

Resource Summary

Core Business Areas	2004/05 Restated Estimates[1]	2005/06 Estimates	2006/07 Plan	2007/08 Plan
Operating Expenses ($000)				
Negotiations[2]	24,083	17,271	17,263	16,955
Treaty Settlement/Implementation Costs	4,699	4,458	4,466	4,774
Total	**28,782**	**21,729**	**21,729**	**21,729**
Full-time Equivalents (Direct FTEs)				
Negotiations	81	81	81	81
Treaty Settlement/Implementation Costs	7	7	7	7
Total	**88**	**88**	**88**	**88**
Ministry Capital Expenditures (Consolidated Revenue Fund) ($000)				
Negotiations	331[3]	31	10	10
Treaty Settlement/Implementation Costs	0	0	0	0
Total	**331**	**31**	**10**	**10**
Other Financing Transactions ($000)				
Treaty Settlement/Implementation Costs				
Disbursements[4]	16,967	3,589	1,029	1,029
Total Net Cash Source (Requirements)	**(16,967)**	**(3,589)**	**(1,029)**	**(1,029)**

[1] These amounts have been restated for comparative purposes only, to be consistent with the presentation of the *2005/06 Estimates*. Schedule A of the *2005/06 Estimates*, presents a detailed reconciliation.

[2] Funding for Economic Development ($7,042,000) has been included in the Negotiations core business area for restated purposes in 2004/05.

[3] Figure provided for capital tenant improvements and acquisition of equipment and furniture.

[4] Includes Nisga'a financing transactions and funding for acquisition of lands for treaty settlement.

Vision, Mission and Values

Vision

Conclude treaty and other agreements with First Nations, creating certainty over Crown lands and resources and enhancing the well being of all British Columbians through the provision of economic and social benefits. By reconciling the difficult nature of our past relationships, we will develop co-operative associations and build mutual respect and trust in our communities.

Mission

The Treaty Negotiations Office provides leadership in concluding agreements with First Nations. The Office works collaboratively with other provincial ministries, First Nation organizations, the federal government and other partners to establish workable arrangements with First Nations and increase certainty over Crown lands and resources in British Columbia.

Values

The Treaty Negotiations Office recognizes that achieving its goals depends on the continued support of a professional, skilled and knowledgeable workforce. Staff work to accomplish these goals in a progressive, innovative and results-oriented manner. They deliver services efficiently, effectively and with a clear sense of pride and purpose encompassing the following values:

Accountability — being accessible and responsive to our partners and stakeholders, measuring and reporting on our performance at all levels.

Innovation — possessing the flexibility and creativity in developing negotiation solutions, embracing technological change in order to capture new opportunities and make strategic investments in our people.

Respect and Integrity — treating our partners and stakeholders as clients, focusing on dedicated and respectful service, placing value on diversity and differing opinions and conducting ourselves in an ethical and professional manner.

Trust and Honesty — maintaining open and transparent activities and actively responding to public, partner and stakeholder feedback.

Goals, Objectives, Strategies and Results

Treaty Negotiations Office (TNO) Mission

The Treaty Negotiations Office provides leadership in concluding agreements with First Nations. The Office works collaboratively with other provincial ministries, First Nations organizations, the federal government and other partners to establish workable arrangements with First Nations and increase certainty over Crown lands and resources in British Columbia.

Government Strategic Goals	TNO Goals	TNO Objectives	Performance Measures/Indicators
A strong and vibrant provincial economy.	1. Increased social and economic stability and investment in the province through greater certainty over Crown lands and resources.	1. Concluded agreements that define rights and responsibilities between parties and facilitate economic development.	1. Percentage of B.C. Crown land covered by certainty arrangements. 2. Number of initialled final agreements and agreements-in-principle. 3. Number of accommodation agreements/business arrangements. 4. Number of partnership initiatives involving First Nations and community organizations, including local governments.
		2. Ratified and implemented final agreements.	1. Number of final agreements brought into effect. 2. Negotiated agreements reflect referendum principles.
A supportive social fabric. Safe, healthy communities and a sustainable environment.	2. Build strong and respectful relationships between government and First Nations based on a shared commitment to reconciliation and recognition.	3. Build trust with First Nations through a reconciliation and recognition framework.	1. Number of agreements that facilitate and strengthen relationships between First Nations and governments. 2. Number of actions taken to implement agreed joint activities. 3. Number of actions taken to build public awareness.
A strong and vibrant provincial economy.	3. Optimal and cost – effective planning, management, administrative and operational support.	4. Improve administrative operations through innovative business practices and technology.	1. Percentage of employees with performance management plans. 2. Number of best practices adopted.

Goal 1: *Increased social and economic stability and investment in the province through greater certainty over Crown lands and resources.*

Core Business Areas: *Negotiations, Reconciliation, Treaty Settlement and Implementation.*

Objective 1: *Concluded agreements that define rights and responsibilities between the parties and facilitate economic development.*

Key strategies include: focusing on key opportunities to conclude treaty-related agreements; streamlining negotiation practices to fast-track treaty settlements; providing leadership to line ministries and provincial agencies to support accommodation activities; consulting with concerned parties on treaty negotiations; strengthening relations between Aboriginal and local governments and between Aboriginal and non-Aboriginal business interests; introducing improved practices related to the timely transfer of land, resources and program responsibility to First Nations following treaties or other agreements.

Performance Measures:

Performance Measures	2004/05 Estimate	2005/06 Target	2006/07 Target	2007/08 Target
Percentage of B.C. Crown land covered by certainty arrangements.[1]	33%	34%	35%	36%
Number of initialled final agreements and agreements-in-principle.[2]	2	2-4	2-4	2-4
Number of accommodation agreements/ business arrangements.[3]	2-3	2-3	2-3	2-3
Number of partnership initiatives involving First Nations and community organizations, including local governments.	4-6	4-6	4-6	4-6

[1] Calculated as of March 31, 2004, the base figure for the amount of Crown land covered by certainty arrangements is 59,364,322 ha and includes all certainty arrangements across government. For 2004/05 it is estimated that 14.57% of Crown land will be covered by Nisga'a Treaty, agreements-in-principle and operational certainty arrangements, 18.75% will be covered by Treaty 8 for an overall total of 33.32%.

[2] Initialled final agreements and agreements-in-principle represent an incremental number each fiscal year.

[3] Refers to significant accommodation agreements with cross-ministry impacts.

Objective 2: *Ratified and implemented final agreements.*

Key strategies include: completing First Nation eligibility, enrolment and ratification processes; enacting provincial settlement legislation; completing closing activities in preparation for land transfer; addressing treaty impacts through mechanisms including third party compensation and community adjustment and providing oversight to ensure that all provincial treaty obligations are met.

Performance Measures:

Performance Measures	2004/05 Estimate	2005/06 Target	2006/07 Target	2007/08 Target
Number of final agreements brought into effect.[1]	0	0	0	2-4
Negotiated agreements reflect referendum principles.[2]	100%	100%	100%	100%

[1] Average time required by all parties to sign and ratify final agreements is estimated to be 2-3 years.

[2] Referendum Principles can be found at: http://www.gov.bc.ca/tno/news/2002/eight_new_treaty_principles.htm

Goal 2: *Build strong and respectful relationships between government and First Nations based on a shared commitment to reconciliation and recognition.*

Core Business Areas: *Negotiations, Reconciliation.*

Objective 1: *Build trust with First Nations through a reconciliation and recognition framework.*

Key strategies include: working co-operatively with First Nations to identify an agenda of activities focused on reconciliation and recognition; develop policies, positions and mandates consistent with the principles of reconciliation and recognition that improve relationships between First Nations, the Crown, local governments and all citizens; provide leadership to line ministries and provincial agencies undertaking reconciliation activities.

Performance Measures:

Performance Measures	2004/05 Estimate	2005/06 Target	2006/07 Target	2007/08 Target
Number of non-treaty agreements that facilitate and strengthen relationships between First Nations and governments.[1]	2	1-2	1-2	1-2
Number of actions taken to implement agreed joint activities.[2]	5	7	10	10
Number of activities taken to build public awareness.[3]	40-70	40-70	40-70	40-70

[1] Includes broad comprehensive agreements such as the "Protocol Respecting the Government to Government Relationship between the First Nations represented by the First Nations Summit and the Government of British Columbia".

[2] Refers to specific initiatives coordinated or lead by TNO in areas such as education, emergency preparedness, and Aboriginal place naming.

[3] Activities undertaken to build public awareness include open houses, publications and speeches.

Goal 3: *Optimal and cost-effective planning, management, administrative and operational support.*

Core Business Area: *Negotiations.*

Objective 1: *Improve administrative operations through innovative business practices and technology.*

Through the ongoing improvement of administrative operations such as the use of innovative business practices and technology, the Treaty Negotiations Office is able to provide effective and efficient planning, management, administrative and operational support to the its core business areas.

Key strategies include: reviewing business practices and office procedures and adopting best practices to improve cost-effectiveness and efficiency; developing a human resource plan to support and encourage employee learning and skills identification and development; identifying technology solutions to better track and report on performance and risks associated with meeting business objectives.

Performance Measures:

Performance Measures	2004/05 Estimate	2005/06 Target	2006/07 Target	2007/08 Target
Percentage of employees with performance management plans.	100%	100%	100%	100%
Number of best management practices adopted.[1]	6	4	4	4

[1] Targets reflect the number of new best practices adopted each fiscal year and include such measures as iExpense, iPlan, Time on Line, iProcurement, web-based document collaboration and improved records management processes.

Related Initiatives and Planning Processes

Overviews of Human Resource Plan and Information Resource Management Plan

Human Resource Plan

The Treaty Negotiations Office Human Resource Plan overview is available on the ministry website at:
http://www.prov.gov.bc.ca/tno/relatedinitiativesandplanningprocesses/overview.html.

Information Resource Management Plan

The Treaty Negotiations Office Information Resource Management Plan is available on the ministry website at:
http://www.prov.gov.bc.ca/tno/relatedinitiativesandplanningprocesses/overview.html.